

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 21, 2004. At the time of the Office Action, Claims 1-11 were pending in this Application. Claims 1-11 were rejected.

Rejections under 35 U.S.C. § 112

Claims 1-11 stand rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and claim the subject matter which Applicants regard as the invention.

Applicants have amended the Claim 1 to overcome the rejections on line 10. The rejected recitations have been cancelled. With respect to Claim 1, line 18, the "roundtrip time of the first long range wave over the distance between the first probe and the second probe" is explained with reference to Figure 1 and on page 10, line 22 through page 11, line 2. Referring to Figure 1, this is the twice the time it takes for the first wave to travel distance d.

Rejections under 35 U.S.C. § 103

Claims 1-11 stand rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,591,912 issued to Michael J. Spisak et al. (hereinafter "Spisak").

Applicants respectfully traverse and submit that Claim 1 as amended makes it clear the both waves travel in a single direction along a length of the structure. Claim 1 has further been amended to recite the particular type of wave that is being propagated.

It cannot be said that the waves of Spisak travel in a single direction. The waves of Spisak travel in two different directions.

As recited in Claim 1, the "single direction" is not the direction of the waves relative to the pipe. Rather, the "single direction" is the direction of the two waves relative to each other.

New Claims

New claims 12 - 21 are similar to Claims 1 - 11, except that they recite that the structure is a conduit. Claims 22 and 23 recite that the probes are external to the conduit and that they surround the conduit, respectively. These claims are supported by Figure 1 and the description on page 7, lines 11 - 14.

CONCLUSION

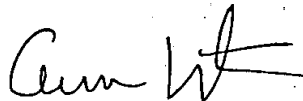
Applicants appreciate the Examiner's careful review of the application. Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of the rejections and full allowance of the claims as amended.

Applicants enclose a Petition for Extension of Time Under 37 C.F.R. 1.136(a) and a check in the amount of \$55.00 for the fee. Applicants also enclose a check for additional claims in the amount of \$27.00. Applicants believe no further fee is due, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0383 of Baker Botts L.L.P. in order to effectuate this filing.

If there are any matters concerning this application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2634.

Respectfully submitted,

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